IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(***Special Original Jurisdiction***)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO: 9223 of 2005

Between:

Kotte Siva Prasad, S/o. Rajaiah,
R/o. Talamanchi, Kodavaluru Mandal, Nellore District.

..... PETITIONER

A N D

1 The District Collector, Nellore-cum-Election Authority under A.P.

Farmers Management of Irrigation Systems Act, 1997.
2 The Revenue Divisional Officer, Kavali, Nellore District.
3 The Mandal Revenue Officer, Kodavalur-cum- Election Officer,

Talamanchi Water Users Association, Talamanchi, Kodavalur

Mandal, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, writ or direction more particularly in the nature of Writ of Mandamus Under Article 226 of the Constitution of India declaring the action of the 1st respondent in not considering the appeals submitted by the petitioner dated 15-4-2005 of deletion of the names of the ryots of Basavayapalem Village, who do not own any land within the area of operation of Talamanchi Water Users Association and the action of the 3rd respondent in seeking to hold elections without correcting the defects in the voters list as illegal, arbitrary, unjust and violative of the provisions of A.P. Farmers Management of Irrigation Systems Act and the Rules made

thereunder and consequently direct the 1st respondent to consider and dispose of the appeal dated 15-4-2005 before proceedings with the elections and also direct the 3rd respondent to correct the voters list by deleting the ineligible voters.

Counsel for the Petitioner: MR.P.SRIDHAR REDDY

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

***The Court at the stage of admission made the following*:** (order follows 2nd page)

O R D E R :

When the matter is listed today, the learned counsel for the petitioner seeks leave of this Court to withdraw this writ petition with a leave to avail such remedies as may be available to the petitioner in law. Leave is accordingly granted.

The writ petition is accordingly dismissed as withdrawn. It is needless to observe that if the petitioner avails any such remedy, the same shall be considered on its own merits uninfluenced by the dismissal of this writ petition.

APRIL25th, 2005. ----------

I S L. ELIPE DHARMA RAO , J

To

1. The District Collector, Nellore-cum-Election Authority under A.P.

Farmers Management of Irrigation Systems Act, 1997.
2. The Revenue Divisional Officer, Kavali, Nellore District.
3. The Mandal Revenue Officer, Kodavalur-cum- Election Officer,

Talamanchi Water Users Association, Talamanchi, Kodavalur

Mandal, Nellore District.

4. 1 CC to Govt.Pleader for Irrigation and Commercial Area

Development, High Court Buildings,

High Court of AP Hyderabad (OUT)

5. 1 CC to Sri P.Sridhar Reddy, Advocate for the petitioners.

6. Two CD Copies.